

## ***MILITARY LEAVE FOR CIVILIAN EMPLOYEES***

Public Law 106-554, enacted on December 21, 2000, changed the way Military Leave for civilian employees is processed. Prior to enactment, Military Leave taken for active duty, inactive duty training, or engaging in field or coast defense training was chargeable in whole day increments and periods of non-duty (such as weekends) were also chargeable. With the new law, Military Leave may be charged in one-hour increments and leave will not be charged for periods of non-duty.

The Defense Civilian Pay System (DCPS) was modified to accommodate the new law with the pay period beginning September 9, 2001. Prior to that time, Military Leave continued to be charged in whole day increments, regardless of the number of hours used and reported via time and attendance. Retroactive processing occurred when the system was changed and days of usage were converted to the number of hours actually used.

**Q.** When retroactive processing occurred, the amount of Military Leave I had taken was converted from days to hours and my Annual Leave balance was also charged. Is this correct since I didn't take any Annual Leave during the same time that I took Military Leave? If this is not correct, may I have my Annual Leave balance reinstated?

**A.** When the system was modified, your Military Leave balance as of the pay period beginning December 31, 2000 was converted from days to hours and the number of hours actually used from that date through September 8, 2001 were subtracted from the balance. If you used more Military Leave than you had available; the system automatically charged your Annual Leave balance in order to keep you in a pay status. Since you received pay for those hours of Annual Leave, your balance may not be reinstated.

**Q.** I am a firefighter with a biweekly tour of duty of 144 hours. Prior to the new law, I was able to use three weeks of Military Leave, under the new law I am now able to use only two weeks.

**A.** The Office of Personnel Management recognized that individuals with biweekly tours of duty other than 80 hours must have the number of hours that they accrue on an annual basis adjusted accordingly. The table below reflects those adjustments.

<b>Hours in the regularly scheduled biweekly pay period</b>	<b>Ratio of hours in the regularly scheduled pay period to an 80- hour pay period (the number of hours in the pay period ÷ 80)</b>	<b>Hours of military leave accrued each fiscal year</b>
40	.5 (40÷80)	.5 x 120 = 60 hours
112	1.4 (112÷80)	1.4 x 120 = 168 hours
120	1.5 (120÷80)	1.5 x 120 = 180 hours
144	1.8 (144÷80)	1.8 x 120 = 216 hours

Since your tour of duty is 144 hours, it is most likely that you work three 24-hour shifts per week. If you took six days of Military Leave during a two-week period, you would be charged 144 hours. If you took another three days of Military Leave in a subsequent week, you would be charged 72 hours. Therefore for a three-week period, you would be charged a total of 216 hours, or the amount of time that you would accrue in one year. This equates to the charge of 120 hours for a three week period for an individual having a biweekly tour of 80 hours.

**Q.** My biweekly tour of duty consists of eight 10-hour days. Prior to the new law, I was charged one day of Military Leave for each 10-hour day. How should Military Leave be charged under the new law?

**A.** You must account for the entire number of hours in your tour of duty for any given pay period. For instance, if you took two days of Military Leave and worked the remainder of the pay period, you would be charged 20 hours of Military Leave. On the other hand, if you were absent for the entire pay period for Military leave, you would be charged 80 hours.

**Q.** Under the old law, periods of non-duty such as weekends were chargeable as Military Leave. Is this still true under the new law?

**A.** No. Under the new law periods of non-duty are no longer chargeable as Military Leave.